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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

APPROXIMATELY \$86,520 IN UNITED
STATES CURRENCY,

Defendant.

DA LEE and SENG LEE,

Claimants.

CV 13-5641 SBA (EDL)

**SETTLEMENT AGREEMENT AND
[PROPOSED] JUDGEMENT OF
FORFEITURE, AND DISMISSAL OF THE
CLAIM AND ANSWER, AS TO
CLAIMAINT SENG LEE**

The parties stipulate and agree as follows:

1. Plaintiff is the United States of America ("United States"). Defendant is approximately \$86,520 in United States Currency seized on June 5, 2013 ("defendant currency"). After proper notification and publication was given, Seng Lee filed a claim and answer in this action, being the sole claimant to \$44,500 of the defendant currency. The United States and Seng Lee are hereafter referred to as the "parties" in this Settlement Agreement.

2. The parties agree that this resolution in this action is based solely on the terms stated in this Settlement Agreement. It is expressly understood that this Settlement Agreement has been freely

1 and voluntarily entered into by the parties. The parties further agree that there are no express or implied
2 terms or conditions of settlement, whether oral or written, other than those set forth in this Settlement
3 Agreement. This Settlement Agreement shall not be modified or supplemented except in writing signed
4 by the parties. The parties have entered into this Settlement Agreement in lieu of continued protracted
5 litigation and District Court adjudication.

6 3. This settlement is a compromise over disputed issues and does not constitute any
7 admission of wrongdoing or liability by any party.

8 4. Seng Lee asserts that he is the sole owner of the \$44,500 of the defendant currency,
9 which he solely claimed in his claim and answer.

10 5. Seng Lee admits and agrees that sufficient evidence exists to establish the judicial
11 forfeiture of the \$44,500 of the defendant currency (plus all interest accrued on that amount) pursuant to
12 Title 21, United States Code, Section 881(a)(6), to which Seng Lee made sole claim. Seng Lee now
13 consents to its forfeiture to the United States, without further notice to him. Seng Lee relinquishes all
14 right, title, and interest in \$44,500 of the defendant currency and agrees that \$44,500 of the currency to
15 which he made sole claim shall be forfeited to the United States and disposed of according to law by the
16 United States.

17 6. Seng Lee, his heirs, representatives and assignees, shall hold harmless the United States,
18 any and all agents, officers, representatives and employees of same, including all federal, state and local
19 enforcement officers, for any and all claims, defenses, actions, or liabilities arising out of or related to
20 this action against the defendant currency.

21 7. The parties agree that each party shall pay its own attorneys' fees and costs.

22 8. This Settlement Agreement does not relate to or affect the claim of Da Lee, the brother of
23 Seng Lee, who has made sole claim, and filed answer in this action, to the remaining \$42,020 of the
24 defendant currency.

25 9. Based on the foregoing Settlement Agreement between the United States and Seng Lee,
26 the parties agree that, subject to the Court's approval, the proposed Judgment of Forfeiture

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28 ///

1 that is submitted below with this Settlement Agreement be entered and that Seng's Lees claim and
2 answer in this action be DISMISSED.

3 **IT IS SO STIPULATED:**

4 MELINDA HAAG
5 United States Attorney

6 Dated: 10/9/2014

7 
8 GREGG W. LOWDER
9 Assistant United States Attorney

10 Dated: October 7, 2014

11 
12 SENG LEE
13 Claimant

14 Dated: 10/9/14

15 
16 SHARMI SHAH
17 Attorney for Seng Lee

18 **PROPOSED JUDGMENT OF FORFEITURE**

19 UPON CONSIDERATION of the Settlement Agreement and the record, and for good cause
20 shown, it is by the Court on this 14th day of October, 2014,

21 ORDERED, ADJUDGED AND DECREED that \$44,500 of the defendant currency be, and
22 hereby is, FORFEITED to the United States for disposition by the Attorney General in accordance with
23 law; and it is FURTHER ORDERED that the claim and answer of Seng Lee in this action be, and hereby
24 is, DISMISSED.

25 
26 LAUNDRA BROWN ARMSTRONG
27 United States District Judge
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